Million $ Match! Donate Now to Maximize Your Impact!

04/05/24 • BIG TECH › NEWS

CHD Scores Win in 'Smart City' Lawsuit as Court Orders Los Angeles to Turn Over Documents

Children's Health Defense (CHD) sued the City of Los Angeles to obtain records CHD said are essential to protecting the rights of residents, who don't know what forms of surveillance they and their children are being subjected to and as a result, can't exercise their legal right to opt out of being surveilled.

By Brenda Baletti, Ph.D.

22

Miss a day, miss a lot.** Subscribe to The Defender's Top News of the Day. **It's free.

A California judge this week ordered the City of Los Angeles to release documents related to its smart city initiatives to Children's Health Defense (CHD), which requested the documents under the California Public Records Act.

Superior Court Judge Mitchell Beckloff said the city must turn over missing email attachments, produce supplemental documents, conduct a new search relevant to privacy laws and contracts, and deliver other documents the city withheld last year by claiming privilege when it only partially responded to CHD's request.

In his order, Judge Beckloff cautioned the city that "the Petitioners' interest in the requested records is substantial" and that interest — namely the city's Digital Code of Ethics and "the right of a member of the public to opt out of the collection and sharing of personal data" — must be considered when the city invokes deliberative process privilege.

"CHD is excited to be at the forefront of fighting for children's rights in this new era of digitalization, smart cities and wireless technology," Miriam Eckenfels-Garcia, director of CHD's Electromagnetic Radiation (EMR) and Wireless program, told The Defender.

"As we assess and address new threats that come with this new age, we are thrilled that the court recognized residents' rights to navigate the city without digital ID," she added. "We are determined to fight against the threats to privacy and bodily autonomy that come with the uncontrolled rollout of wireless technology."

"The Wuhan Cover-Up" by Robert F. Kennedy Jr.

ORDER NOW

CHD and several LA residents filed the lawsuit on July 24, 2023, in Los Angeles County Superior Court. The suit alleges that key departments in city government violated the California Public Records Act by failing to promptly respond to the plaintiffs' request to produce records from 2019-2023 of communications, programs, committees and technologies related to smart city planning.

Most of the city's 20 departments involved in smart city planning provided the documents CHD requested when it began investigating smart city projects in April 2023.

However, the Information Technology Agency, Bureau of Street Lighting, Los Angeles World Airports, Bureau of Street Services, Bureau of Engineering and the Los Angeles Police Department, which likely have the most sensitive information about the smart city rollout, either did not respond or did not respond adequately to the request, lawyers for CHD argued last week before the judge.

"The legal issue arose because the city withheld thousands of smart city documents claiming 'deliberative process privilege,'" Greg Glaser, one of the attorneys representing CHD told The Defender.

"That means the city claimed the records are confidential because disclosing them would hinder future candid policy deliberation by city officials," Glaser said. "So the court weighed the plaintiffs' substantial privacy interests against the city's lesser interests in confidentiality. Plaintiffs won, and the court ordered limited redaction and release of the records."

CHD argued that accessing these records was essential to protecting the rights of residents, who don't know what forms of surveillance they and their children are being subjected to and therefore can't exercise their legal right to opt out of being surveilled.

That leaves residents in "a Catch-22: petitioners are lawfully permitted to follow the Attorney General's guidance to opt-out of corporate surveillance … but cannot identify the surveillance in order to opt-out," CHD said in its brief filed March 1.

Information about surveillance is so obscured, CHD found in its analysis of the documents released so far that "even City employees cannot identify surveillance that is already taking place by the City and the City's corporate partners," like Amazon and Oracle.

California and federal law both protect the right to know what personal information is collected, along with the right to opt in and opt out of information-sharing and sale, according to the brief.

In its Digital Code of Ethics, the City of Los Angeles recognizes residents' right to navigate the city without digital ID and without having locational and other data tracked and stored.

However, publicly available information and the records obtained by CHD so far indicate the city does collect and store such data, in violation of the code. The plaintiffs want to make that data collection transparent so they and others can exercise their right to privacy and opt out if they so choose.

The court agreed.

Ray Flores, one of the attorneys representing CHD, celebrated the decision as a key step in protecting the privacy rights of all Angelinos. "This is the first smart-city surveillance court battle," he said. "One of many to come. We are game."

RFK Jr. and Brian Hooker's *New* Book: "Vax-Unvax"

ORDER NOW

City acknowledged it 'dropped the ball' but argued requests were too broad

In its March 15 reply brief to the court, submitted before last week's hearing, the city acknowledged it had "dropped the ball on a few occasions in processing requests by Petitioner."

However, the city argued the petitioners' requests were too broad.

The city also disagreed with CHD's arguments that city residents, particularly youth, are not able to "opt out of 'corporate surveillance.'"

The city acknowledges "there is a significant public interest in understanding how City intends to implement the roll out of its smart technology strategy, as its implementation will impact public safety, transportation, energy, and other community infrastructure."

The city didn't deny the issues raised about privacy rights and the right to opt out of surveillance. Instead, it said those issues were "perhaps worthy of investigation in some other lawsuit," but said it was outside of the scope of this particular request, which the city argued is more narrowly about the city's compliance with the California Public Records Act.

To that end, the city said it had produced tens of thousands of responsive records and withheld only a "small fraction" of them and argued the different forms of privilege it claimed to withhold the documents was justified.

Because the court found almost entirely for the plaintiffs, Glaser said city officials will need to produce thousands of more documents over the next four months.

"The City Attorney's Office will be busy this spring redacting thousands of withheld smart city emails, contracts and accounting records, and then producing them to CHD," he said.

'That's not smart, that's surveillance profiteering'

In 2020, Los Angeles launched its SmartLA 2028 initiative, promising to solve a host of "urban challenges" — from racial injustice to natural disasters to climate change — using smart technologies to create "a highly digital and connected city" by 2028.

2028 is the target year because the city will host the 2028 Summer Olympics and plans to provide tourists with a "digital Olympic experience," according to the SmartLA 2028 strategy document.

The document outlines in broad strokes a vision for the city that Olympics consumers will visit — a smart city built for Los Angeles to compete in the digital economy.

The plan includes a panoply of digital infrastructure, including a surveillance camera network that can capture individual face and voice signatures and can be used for law enforcement or marketed to third parties.

Since launching the initiative and its blueprint for a smart city by 2028, departments across the city have been implementing different smart technologies, often in partnership with private corporations.

For example, the private security infrastructure firm Verkada announced it is using the city's Information Technology Agency's cloud services to offer real-time surveillance technology integrated across the city.

Your support helps fund this work, and CHD's related advocacy, education and scientific research.

DONATE NOW

In another example, information obtained through the petitioners' California Public Records Request revealed the city may open the data it collects to third-party applications, allow for private 5G and other telecom infrastructure to be installed on city property, and monetize data collected through the city's smart street lamps.

The Bureau of Street Lighting already issued a directive that allows telecom companies to use the light poles as mounting sites for their private infrastructure. It is also testing the light poles as sites for surveillance cameras, surveillance audio detection, small cell 5G and digital banners that provide real-time public information.

"That's not smart, that's surveillance profiteering," Glaser said. "The cameras and microphones have a radius that can pick up conversations inside buildings, and artificial intelligence on the backend can process data in real time. These technologies are working together to promote the internet of things and voluntary digital ID before the LA Olympic Games in 2028."

In another controversial move, the Los Angeles Police Department last year introduced its first robot police dog, made by Boston Dynamics.

In all of these cases, critics raise concerns about transparency, privacy and mass surveillance, demanding answers about how authorities collect, retain and share surveillance data.

While companies like Verkada and city officials say they are committed to protecting the privacy of Los Angeles residents, Glaser and Flores said the city has not been forthcoming when it comes to questions about what data are collected and how.

"Our case focused on gaining access to thousands of these withheld city records regarding the smart city rollout," Glaser said.

As new documents are reviewed, Glaser said, CHD's legal team will provide updates on key discoveries.

Subscribe to The Defender - It's Free!

First Name.. Last Name.. Email.. SIGN UP

SUGGEST A CORRECTION

Brenda Baletti, Ph.D.

Brenda Baletti, Ph.D., is a senior reporter for The Defender. She wrote and taught about capitalism and politics for 10 years in the writing program at Duke University. She holds a Ph.D. in human geography from the University of North Carolina at Chapel Hill and a master's from the University of Texas at Austin.

Sign up for free news and updates from Children's Health Defense. CHD focuses on legal strategies to defend the health of our children and obtain justice for those injured. We can't do it without your support.

Republishing Guidelines

Donate Now
You make the difference.

Latest News
- Did the WHO Water Down Its 'Pandemic Treaty'? Not Really, Experts Say
- 'A Dangerous Vaccine for a Nothing Disease': U.S. Stockpiling Bird Flu Vaccines
- WHO, Media Drum Up Fear of Bird Flu Spreading to Humans

MORE NEWS

Latest Views
- How What You Eat May Change Your Unborn Children's Genes — and Affect Their Health
- 'Corporate Greed' to Blame for Soaring Food Prices, FTC Report Says
- Australia's Public Broadcaster Partners With Trusted News Initiative to 'Protect Public' From 'Misinformation'

MORE VIEWS

Get FREE News & Updates!

First Name..
Last Name..
Email..
SIGN UP

Get Text Alerts

Sign up for breaking news from The Defender

123-456-7890

REQUIRED. Phone number must be in a standard 10-digit format: 1234567890 or 123-456-7890

Children's Health Defense Comment Policy

We welcome relevant and respectful comments. Off-topic comments may be removed.

Please read our Comment Policy before commenting.

Got it

22 Comments Login ▼

Join the discussion…

LOG IN WITH OR SIGN UP WITH DISQUS ?

Name

3 • Share Best Newest Oldest

MICHAEL
19 days ago

THE "SMART METER PLAYBOOK" HERE WE GO AGAIN.

I'M VERY APPRECIATIVE OF YOUR WORK HERE (I LIVE IN ORANGE COUNTY RIGHT NEXT TO THIS MESS. WE'RE WITNESS TO THE MASS EXODUS FROM LOS ANGELES CAUSED BY THE LACK OF CONTROL OF CRIME...BUSINESSES LEAVING, WORKERS LEAVING, RESIDENTS LEAVING....LA IS BECOMING A 'NO MAN'S LAND' AND HOW YOU CAN PUT AN OLYMPICS INTO THE MIDDLE OF THAT I HAVE NO CLUE....SOUNDS LIKE A DISASTER AND NOT SOMETHING I WOULD BRING MY FAMILY TO WERE I LIVING IN UTAH, IOWA, ETC.

8 0 Reply

Leslie Taylor → MICHAEL
18 days ago edited

All this (like vaccine adverse effects) is intentional, all part of the NWO's "playbook" to destroy much of humanity and civilized societies infrastructures then BBB which includes the transhumanizing and AI control of humanity. Here's the example from which they seem to have modeled15 minute cities from Dietrich Dorner's book" The Logic of Failure" involving urban planning in a German city. The city council approved two measures designed to limit noise and air pollution -- limiting the speed limit to 20 miles per hour and installing speed bumps. The results were not what anyone expected. The lower speeds forced cars to travel in a lower gear, producing more noise and exhaust than before. Shopping trips that formerly required 20 minutes took a half hour resulting in increased congestion. Shopping downtown became increasingly burdensome, which meant that fewer people went there and people began to suffer economically as shoppers discovered that it was less hassle to to shop in outlying malls. The town's businesses went into bankruptcy and tax revenues plummeted. The master plan turned out to be a huge blunder. Today, this is intentional leading to so-called smart cities and corralling people into shopping, socializing and educating kids online -- all the easier to track and control thoughts, feelings and behavior (hypnotize and neuro manipulate) ultimately leading to the transhumanizing of humanity. Not to mention the current placating of as many adults and children as possible with anti depressants as the majority of human lives and livelihoods are being destroyed. The NWO's master plan will also turn into a huge blunder but on a worldwide scale. This is WW3, a war against minds, as George W. Bush warned of years ago.

7 0 Reply

Matt
19 days ago

My heart felt thank you to CHD for these efforts! Thank YOU!

6 0 Reply

A. Miller
19 days ago

If Americans knew what RFK Jr and CHD were doing to protect Americans, Kennedy would win in a landslide!!!

5 0 Reply

John Stone Mod
19 days ago

Fantastic win Ray and Greg, and very important.

5 0 Reply

r2bzjudge
18 days ago

"...even City employees cannot identify surveillance that is already taking place by the City and the City's corporate partners," like Amazon and Oracle.

However, the citizens are not partners. That just doesn't look like democracy. Democracy dies in darkness, according to the slogan of The Washington Post.

4 0 Reply

Nichole → r2bzjudge
15 days ago edited

Well maybe they ought to be informed about things like the PFAN/TRAC patent that illustrates people can be tracked, hacked, attacked by every manner of hostility using on the ground sensing methods and above by using GPS satellites because this patent was a military and intelligence corporate banking takeover as many of these corporations where we think they have a Peter Thiel, Jeff Bezos, Mark Zuckerberg, Eric Schmidt, or a Bill Gates in charge of them that well we can just look at their backgrounds and see that they suddenly received millions of dollars seemingly out of nowhere to start up these different companies and many of them with very little real credentials have done some incredible things in short time that would only seem possible if they had carried out decades upon decades of military and scientific research or had some way of gaining such experience and knowledge outside of the degrees they often really did not even receive.

Some are given unlawful patents no person or corporation should have and titles leading to foundations, and institutions, it is just not realistic and what it really is the military/intelligence/banking/corporations are in control of everything and have been or else.... shouldn't it matter that hundreds upon thousands have been reporting ill effects of a very well orchestrated new method of attack on the

see more

1 0 Reply

r2bzjudge
18 days ago edited

"That means the city claimed the records are confidential because disclosing them would hinder future candid policy deliberation by city officials," Glaser said.

Policy deliberation is political. They don't want the public interfering with their already determined agenda.
There was a recent public city council meeting on changing Olive Avenue in Burbank, from 4 vehicle lanes into 2, with dedicated bus only lanes. Big turnout as many were opposed. The city council ignored them and voted to approve. Recently, state Democrat committee members said they couldn't understand why women were opposed to a bill which referred to women as people who give birth. The chairman proclaimed at the end of the meeting that men can give birth. Agenda colors the outcome, not candid policy deliberation.

4 0 Reply

Frederick Lee
17 days ago

Cyberstalking, on behalf of corporations, at taxpayer expense, with complete immunity granted due to government involvement and authorization. What could possibly go wrong? If Oracle and amazon have access to the data, then people within Oracle and amazon have access to it, so general public should have access to the data and the documents.
Then, general public can ask the ultimate question "Why?"

3 0 Reply

mcwinaz
19 days ago

How can only a portion of the population 'opt out' of the surveillance while the rest who don't can be? Seems to me it's either all OR none, which could be what CHD is shooting for here.. Regardless, happy to see any/all lawsuits against any govt entity..

3 0 Reply

Greg Glaser → mcwinaz
19 days ago

Totally understand. You'll be pleased to know that among CHD's top policy points for our EMR and Wireless program is to enforce the laws currently on the books, while we concurrently make improvements at the State level. For example, we promote State level opt-in laws (which are better than opt-out laws) as part of our mission to ensure automatic privacy protections for all families: "Protect and implement privacy rights. Everyone has the right to be secure in their person, papers, and effects. CHD advocates for the enforcement of existing fundamental privacy laws, including traditional warrant requirements for private information collection, and the implementation of new opt-in laws. Opt-in laws should guarantee that unless a person has expressly opted-in, a governmental or private entity does not have permission to collect and/or use personal data, including private biological specimens."

4 0 Reply

Beatrice → Greg Glaser
17 days ago edited

How would a person know if their ' opt-out' is being respected by these insidious technologies that can easily avoid accountability by piggy backing on other technologies? I don't trust these techno entities and never will because their business model is to surveil and collect data on every citizen whether it's for government or private corporations which work hand in hand with each other. The only way to escape is to not use technology and never leave your home. Currently, I only use it briefly every day and then I physically unplug my computers and I don't use a cell phone. Still, my license plates are tracked, the inside of my vehicle is photographed at every stop light, etc... I wear sunglasses and ball caps but every purchase I make or bank deposit is tracked. I sound like a paranoid nutjob don't I? I'm not even living in a Smart Ghetto yet!

What kind of society will we become if everyone is altering their voices, altering their appearance, afraid to leave their homes, afraid to drive for fear of insurance increases based on driving habits, etc.. That's not a civilized free society at all and the psychological damage that it will do to the human brain- especially children- will be immeasurable and severely

see more

0 0 Reply

Nichole → Beatrice
15 days ago

Unfortunately, this technology is military technology and has always been in their control so they forced it upon us and then because they own it, they think it gives them the right to monitor our data, steal our data, manipulate our data, modify it or do whatever they want with it, once we agree to any of this because it has been military they can claim to own whatever it is by way of various executive military orders. If we look at these people they have many military contracts actually it is very suspect that someone like Bill Gates is very invested in a place like Walmart that during Covid began gathering our facial biometric data on those self checkout cameras, they can deny it all they want but Gates has military contracts, his software is on those self checkouts and he is a known military contractor who also allowed NSA to put back doors into Microsoft computers at the onset, Elon Musk is also a military contractor, so is Peter Thiel and Eric Schmidt, they practically all are though Zuckerberg seems to be more clueless than the rest. We have been played and because we the people believed them it is basically our fault for falling for all of it. We have not really had a Constitution since EO 12333 was put into place, I just do not think we have

1 0 Reply

Beatrice → Nichole
15 days ago

I know. It's truly disgusting which is why I stay as far away from technology as possible and everyone can do it. If I can do it, anyone can do it IF they value their freedom and privacy and being human!!! Just received an email from an auto manuf telling me to update my starlink software. Sorry, but I don't have that on my car (that I know of) and I wouldn't update anyway. They can go to hell.

Zuck doesn't seem to be human if you ask me. Ever noticed how black his eyes are?

0 0 Reply

1555 → mcwinaz
19 days ago

Me thinks Angelinos could opt out, but how about visitors to town?

0 0 Reply

Britt Lind
17 days ago

Thank you for this lawsuit. We in the L.A. area are very concerned. But if they want the city ready for the Olympics what do they intend to do about the homeless problem? Downtown L.A. looks like little Calcutta.

1 0 Reply

Matt
19 days ago

I can't wait to get my hands on these documents. I've been watching this garbage going up and it makes me sick.

1 0 Reply

fedupjeff
14 days ago

This is much bigger than LA, it's a window of how the plan will transform the entire Country by 2050. The expansion of increasing radiation delivery to populations is planned to become the main force driving US market value up in the decades ahead as we transform to a data driven economy through RFR densification.

Based on the still expanding 4G network and the roll out of the 5G network the number of active IoT devices in the US is expected to grow year-over-year until 2030. In 2020 it reached 2 billion, by 2023 there were 3.2 billion. By 2030 if all goes as planned there will be at least 6.5-8 billion active wireless devices in the USA radically increasing radiation delivery to populations over what there is today. To meet all the Sustainable development goals is 1 trillion wireless devices connected globally by 2050.

This city plan exposes how the digital public infrastructure (DPI) will require radical increases in RFR exposures through the use of connected smart devices used for surveillance and control that combines digital ID, central bank digital currencies [CBDC], vaccine passports, carbon footprint tracking data, future lockdowns and systems of social credit expanding the Digital Public Infrastructure. The plan is to consolidate banking, education, healthcare, voting, government, payroll, and benefits distributed through smart phones. All of that is part of a broader plan toward never ending Sustainable Development Goals (SDG). Smart Cities are key to Sustainable Development Goals and ever-increasing radiation delivery to populations dependent on smart phones, devices and access points to exist within the system of connected wireless devices, access points and sensors.

0 0 Reply

Nichole
16 days ago edited

It is much much worse than people even realize because all participating in these different plans are advancing the results of decades of non consensual human subjects research thanks to FISA and amendments to FISA, thanks to things like EO 12333 that allows human experimentation within HHS guidelines an agency that gives waivers to three letter agencies involved in secret human subjects research all being carried out under the umbrella of national security that corresponds to the first PFAN/TRAC IOT patent granted to Richard Walker that labels people as wet ware on page 22 of the illustrations in that patent. We had several Microsoft patents after this that even surprised IBM a company that made the holocaust possible.

The first Microsoft patent to use the human body to transmit power and data and another to use the human body activity for cryptocurrency follows from one unlawful patent to another is how we got where we are with unlawful smart meters and advanced phased array technologies being mounted on street lights with sensing methods also illustrated in the PFAN/TRAC patent that amounts to anyone on a secret list being treated like prey with all agencies tracking and monitoring the "target" and "targeted individual" including the EPA. People have been doing everything that they can conceive of to get people to listen that they believed this system that is now referred to as such things as C4ISR that uses SIGINT and

see more

0 0 Reply

Beatrice
16 days ago

HISTORY LOVERS AND PATRIOTS:

The largest data collection center aka cloud in the world is planned to be built adjacent to the historic Manassas Battlefield in VA. This is truly a disgrace and will destroy 1750+ acres of natural habitat and resources. These centers use excessive energy, create water shortages and noise pollution. Please help protect this battlefield from this destruction.

https://www.battlefields.or...

With data centers like this being built, it sure doesn't seem like mass surveillance will be quashed by any laws. I should also note that federal big tech is also taking entire neighborhoods via eminent domain and acquisitions by investors like Blackstone for this very purpose. If you see empty houses in your neighborhood for longer than average, beware. It could be that Blackstone or Vanguard owns it. They want us all in their smart ghettos surrounded by data centers that are being strategically located around the country. Get ready to hear a constant hum in a neighborhood near you.

0 0 Reply

Bible Prophecy in Action
16 days ago

Excellent Post...
Also, just in case anyone wants to know..
"WHAT EXACTLY IS THE UNITED NATIONS AGENDA 2030 WHICH IS CURRENTLY BEING ENFORCED GLOBALLY?", pls visit my blog 👇https://bibleprophecyinacti...

0 0 Reply

Gary Brown
18 days ago edited

November 22, 2019 Pulling Back the Curtain on the Smart City

Technology is infiltrating every aspect of our lives, but, according to this article, we shouldn't underestimate the nefarious role it plays in urban spaces.

https://www.planetizen.com/...

Oct 26, 2022 How this city builds like "SimCity"

Dubai's startup incubators are hitting fast-forward on our future.

0 0 Reply

THE DEFENDER IS AVAILABLE IN:

ENGLISH SPANISH PORTUGUESE GERMAN ITALIAN FRENCH

Children's Health Defense® is a 501(c)(3) non-profit organization. Our mission is to end childhood health epidemics by working aggressively to eliminate harmful exposures, hold those responsible accountable and establish safeguards to prevent future harm. We fight corruption, mass surveillance and censorship that put profits before people as well as advocate for worldwide rights to health freedom and bodily autonomy.

TAKE ACTION

DONATE FREE SIGN-UP BECOME A MEMBER

Donations are tax deductible to the full extent of the law. EIN #26-0388604

© 2016 - 2024 Children's Health Defense® • All Rights Reserved • Sitemap